



# Maritime Security Training

*The specifics of federal and international requirements.*

by LCDR DEREK A. D'ORAZIO

*Chief, U.S. Coast Guard Marine Personnel Qualifications Division*

The Code of Federal Regulations (33 CFR Subchapter H) implements the Maritime Transportation Security Act of 2002 (MTSA)<sup>1</sup>. It also aligns, where appropriate, domestic maritime security requirements with the international maritime security standards contained in the International Convention for the Safety of Life at Sea, 1974 (SOLAS Chapter XI-2), and the International Ship & Port Facility Security (ISPS) Code.

The Coast Guard has partnered with the Maritime Administration (MARAD) and the United States Merchant Marine Academy (USMMA) to develop model maritime security training courses and tables of competence, and a voluntary maritime security training course approval program, in accordance with section 109 of the MTSA.

Internationally, there have been a number of recent developments with respect to maritime security training. The International Maritime Organization (IMO) has developed mandatory training requirements for ship security officers (SSO) for future inclusion in the Standards of Training, Certification & Watchkeeping Convention, 1978, as amended (STCW). IMO has also published a circular with guidance on company security officer training requirements, and similar guidance for port facility security officer training is anticipated in the near future.

The Coast Guard will implement the new international requirements and guidance when 33 CFR Subchapter H is revised. There will be transitional provisions for grandfathering existing certified personnel at the time the regulations are revised.

## Current Requirements

Subchapter H requires all personnel on applicable vessels to have some degree of maritime security knowledge, depending on the level of responsibility of the individual; however, the regulations do not currently require formal training. Rather, this knowledge can be obtained through training or equivalent job experience.

Vessel applicability is stated in 33 CFR 104.105. The regulations apply to most U.S. commercial vessels and to foreign commercial vessels operating in U.S. waters. Foreign vessels with a valid International Ship Security Certificate certifying compliance with the ISPS Code are deemed to be in compliance with most 33 CFR Subchapter H requirements, including the maritime security knowledge provisions for vessel and company personnel.

Each vessel to which 33 CFR Subchapter H applies must have a designated Vessel Security Officer (VSO) in accordance with 33 CFR 104.215. All other vessel personnel must meet the requirements of 33 CFR 104.220 or 104.225, depending on whether they have security duties. Each applicable vessel owner/operator is also required to designate a company security officer (CSO)<sup>2</sup>, and all company personnel with security duties must have appropriate security knowledge through training or equivalent job experience.<sup>3</sup>

Owners/operators of applicable waterfront facilities must likewise designate a facility security officer (FSO)<sup>4</sup>, and all facility personnel must have some degree of appropriate security knowledge through training or equivalent job experience.<sup>5</sup> Facility appli-

cability is stated in 33 CFR 105.105.

Since the regulations do not currently require approved training, the Coast Guard does not at this time approve or certify any maritime security training courses. However, as a matter of enforcement, the Coast Guard evaluates the qualifications of vessel, company, and facility personnel during inspections by assessing their knowledge and ability to carry out their security duties and responsibilities.

#### MTSA Section 109

Section 109 of the MTSA, "Maritime Security Professional Training," required the Secretary of Transportation, as delegated to MARAD, to develop standards and curricula to allow for the education, training, and certification of maritime security personnel. MARAD and the Coast Guard have been working together to fulfill this mandate through a joint committee that also includes the United States Merchant Marine Academy and the Transportation Security Administration. This group is informally referred to as the MTSA 109 committee.

USMMA, in coordination with the Coast Guard, collaborated with counterparts in India to develop IMO model courses for ship security officer (IMO Model Course 3.19); company security officer (IMO Model Course 3.20); and port facility security officer (IMO Model Course 3.21).<sup>6</sup> These courses respectively align with applicable ISPS Code requirements and with the VSO, CSO and FSO requirements in 33 CFR Subchapter H.

USMMA, in coordination with the MTSA 109 committee, developed competence tables and model training courses for the other classes of personnel specified in the 33 CFR Subchapter H regulations (in addition to VSO, CSO, and FSO):

- vessel personnel with specific security duties,
- facility personnel with specific security duties, and
- maritime security awareness for all other classes of personnel specified in the regulations, including vessel and facility personnel without security duties.<sup>7</sup>

These non-proprietary competence tables and model courses, which align with 33 CFR Subchapter H and the ISPS Code, are freely available to the

public on the MARAD Website at: [www.marad.dot.gov/MTSA/MARAD%20Web%20Site%20for%20MTSA%20Course.html](http://www.marad.dot.gov/MTSA/MARAD%20Web%20Site%20for%20MTSA%20Course.html)

In response to industry demand, the MTSA 109 committee also developed a voluntary program for approval and certification of maritime security training courses under section 109 of MTSA. This program is funded by MARAD, and it is currently offered at no cost to training providers. The goal of this program is to promote high quality, uniform training of maritime security professionals. Maritime security training providers seeking course approval and certification are encouraged to submit applications under this program. Full details are available on the MARAD Website referenced above.

#### International Developments

IMO has developed mandatory training requirements for ship security officers for inclusion in STCW.<sup>8</sup> These requirements will not become internationally mandatory until 2009; however, countries may choose to domestically implement the new SSO requirements sooner than that.



**A Coast Guard crew in a 25-foot patrol boat guards the southern tip of New York City as the Staten Island Ferry, *Andrew J. Barberi*, approaches the slip at the South Ferry Terminal. PA2 Mike Hvozda, USCG.**

STCW will be revised to add a new regulation, VI/5, "Requirements for the issue of certificates of proficiency for ship security officers." Under these new provisions, candidates for certificates of proficiency

as SSO must have approved seagoing service of not less than 12 months—or appropriate seagoing service and knowledge of ship operations—and they must meet the standard of competence set out in a new section A-VI/5 of the STCW code.

Section A-VI/5 contains a table that specifies the minimum standards of proficiency for SSO. The table lists five separate competences encompassing 29 different knowledge, understanding, and proficiencies, all of which are to be demonstrated through approved training or examination. Physical searches and non-intrusive inspections also require practical demonstration by the SSO candidate.

IMO has also published Maritime Safety Committee (MSC) Circular 1154, dated May 25, 2005, “Guidelines on Training and Certification for Company Security Officers” (cited as MSC/Circ. 1154).<sup>9</sup> This circular contains a competence table for company security officer that is very similar to the new STCW Code section A-VI/5 competence table for SSO discussed above. It includes a practical demonstration requirement for physical searches and non-intrusive inspections for company security officer candidates. Although not mandatory, countries may choose to implement these requirements in domestic regulations.

More recently, the 37th session of the IMO Standards of Training & Watchkeeping Subcommittee (STW 37) developed guidelines on the training and certification of port facility security officers.<sup>10</sup> It is consequently anticipated that the IMO will be publishing an MSC circular for port facility security officer, similar to the one for company security officer, in the near future and that this circular will contain a competence table for use in certifying port facility security officer candidates.

Finally, STW 37 reviewed STCW to identify other areas that might need to include additional mandatory security-related training requirements, in addition to SSO, in support of the ISPS Code. The United States submitted a paper to STW 37 identifying the need to incorporate mandatory security-related training provisions into STCW for ship personnel with security responsibilities and for ship personnel without security responsibilities. The paper also identified the options available for incorporation of these provisions into STCW.

This would ensure that all ship personnel have security training and that the level of this training is commensurate with their onboard duties; however, STW 37 was unable to reach agreement on the specifics of this issue. This issue will be further discussed at the next MSC meeting, and at STW 38.

### Future Requirements

The Coast Guard will implement the new international requirements and guidance when 33 CFR Subchapter H is revised. Any formal training that is required would be accomplished in the same fashion as other STCW training, necessitating future Coast Guard approval of maritime security training courses.

It is envisioned that there will be transitional provisions for grandfathering existing certified personnel at the time the regulations are revised. However, it is premature to predict exactly what will be required for current personnel to be certified under the revised regulations.

As of this writing, no timetable has been set as to when the Coast Guard will revise 33 CFR Subchapter H. Full information will be published in the Federal Register when the regulations are revised.

*About the author:* LCDR Derek A. D’Orazio is the Chief of the Maritime Personnel Qualifications Division at U.S. Coast Guard Headquarters in Washington, D.C. He is a licensed attorney. He was most recently stationed at Marine Safety Office Houston-Galveston for five years, where he served as the Senior Investigating Officer in the nation’s largest petrochemical port.

### Endnotes:

<sup>1</sup> The Maritime Transportation Security Act of 2002 is codified at 46 U.S.C. Chapter 701: [http://www.law.cornell.edu/uscode/html/uscode46/usc\\_sup\\_01\\_46\\_06\\_VI\\_10\\_701.html](http://www.law.cornell.edu/uscode/html/uscode46/usc_sup_01_46_06_VI_10_701.html)

<sup>2</sup> 33 CFR 104.210.

<sup>3</sup> 33 CFR 104.220.

<sup>4</sup> 33 CFR 105.205.

<sup>5</sup> 33 CFR 105.210 & 105.215.

<sup>6</sup> For more details, access the IMO Website at: [www.imo.org/home.asp](http://www.imo.org/home.asp)

<sup>7</sup> A “Maritime Security for Military, First Responder and Law Enforcement Personnel” model training course was also developed in conjunction with the Federal Law Enforcement Training Center. This class of personnel is not referenced in 33 CFR Subchapter H, but the course is designed for military, first responder, and law enforcement personnel without prior maritime background. Emphasis is placed on prevention of acts of terrorism in marine and intermodal transportation systems.

<sup>8</sup> The term ship security officer, as used by the IMO, is synonymous with the term vessel security officer used in 33 CFR Subchapter H.

<sup>9</sup> MSC/Circ.1154: [http://www.imo.org/includes/blastDataOnly.asp?data\\_id%3D12634/1154.pdf](http://www.imo.org/includes/blastDataOnly.asp?data_id%3D12634/1154.pdf)

<sup>10</sup> The term port facility security officer, as used by the IMO, is synonymous with the term facility security officer used in 33 CFR Subchapter H.